

New Publication 122, *Buying and Selling Dogs, Cats, and Other Non-food Animals*

Generally, the sales and purchases of dogs, cats, horses, monkeys, turtles, and other animals which are not ordinarily considered as “food animals” (for human consumption) in California are subject to tax.

I breed and sell dogs and puppies. Do I need a seller’s permit?

When you are engaged in the business of selling dogs or other non-food animals in California, you are required to register for a California seller’s permit (form *BOE-400 SPA*) with the Board of Equalization (BOE), and to report and pay tax on your sales.

However, there are some exceptions:

- No more than two sales are made during a 12-month period.
- Governmental – County, City, or other Local - animal shelters and nonprofit animal welfare organizations formed for the primary purpose of prevention of abuse, neglect, or exploitation of animal, are not required to hold a seller’s permit for the transfer of any animal to an individual for use as a pet.

I purchased a cat outside of California. Do I owe tax?

When you purchase pets or other non-food animals outside of California, you generally are liable for the use tax on your purchase. You must report and pay the tax timely to the Board by:

- Reporting purchases subject to use tax when filling your sales and use tax return.
- If you do not have a seller’s permit, you may report the use tax on your annual California state income tax return or the Board’s use tax return (Form *BOE-401-DS*) provided in publication 79-B, *California Use Tax*.

How about food for my pets, do I owe tax?

You must pay tax on pet food for your own pets; however, if you are engaged in the business of selling pets, other non-food animals, or breeding stock, you may purchase their food without tax by issuing a resale certificate to the vendor at the time of purchase.

What about drugs and medicine for my pets?

Tax applies to sales and purchases of drugs and medicine -administered orally, hypodermically, topically or externally as injections, implants, drenches, repellents, or pour-on-for pets or non-food animals. An exception is when the drugs and medicine are *mixed* with food or drinking water for pets or other non-food animals *and* the pets and non-food animals are held for sale in the regular course of business

Are pet grooming products and supplies taxable?

Grooming products and supplies, such as brushes, tacks, cages, bedding, and kennels are subject to tax. When purchased outside of California, you are required to report and pay the use tax.

For more information on the application of tax on sales and purchases of pets and non-food animals, you may visit our website at www.boe.ca.gov. From there you may download copies of all BOE publications and regulations including publication 122, *Buying and Selling Dogs, Cats, and Other Non-food Animals*, publication 79-B, *California Use Tax*, and Regulation 1587, *Animal Life, Feed, Drugs and Medicines*. You may also call our Information Center at 800-400-7115 with your questions. Representatives are available weekdays from 8:00 a.m. to 5:00 p.m., except state holidays.